

2 April 2020

Justice Iain Ross  
President, Fair Work Commission  
Level 4, 11 Exhibition Street  
Melbourne VIC 3000

By email: [chambers.ross.j@fwc.gov.au](mailto:chambers.ross.j@fwc.gov.au)

Dear President Ross,

**AM2020/12 – Variation of awards on the initiative of the Commission**

We refer to the Statement of the Full Bench issued on 1 April 2020 in the above matter ([2020] FWCFB 1760) (**the Statement**).

The National Retail Association Limited, Union of Employers (**NRA**) wishes to advise that it supports the provisional views of the Full Bench in that:

- (a) the proposed variations are permitted to be included in modern awards by operation of ss 136(1)(a) and (c) and 139(1)(h); and
- (b) the proposed variations are necessary to achieve the modern awards objective as set out in s 134.

The NRA notes that the Commission's proposed variations are designed to deal with issues that are common across all industries at this time, and are not intended to preclude industry organisations applying for further amendments to specific modern awards to address the particular needs of the relevant industries.

Notwithstanding this being stated at paragraph [2] of the Statement, we ask that the Full Bench reiterate this position in any decision that it makes in this matter.

Yours sincerely,

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